IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929

Bail Appl..No. 7352 of 2007()

CRIME NO.448/07 OF PAVARATTY POLICE STATION

PETITIONER : ACCUSED

MUHAMMED, S/O.HAMEED, THERUVATH HOUSE,
VENMENAD, PAINKANNIYOOR DESOM, THRISSUR.

BY ADV. SRI.RAJIT

RESPONDENTS:

STATE OF KERALA REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA AT ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.7352 of 2007

Dated this the 30th day of November, 2007

ORDER

Application for regular bail. Petitioner faces allegations of having committed rape on the victim, a girl aged above 15 and below 16 years. She was employed as a help in a bakery run by the brother of the petitioner. The petitioner is a young man, aged about 20 years. The alleged victim and the petitioner stayed together in the house of the petitioner to the knowledge of all concerned. While staying there, the petitioner is alleged to have sexual intercourse with the victim.

2. The materials presently available indicate that the girl was below the age of 16 years. The petitioner is found to be a person aged about 20 years. The petitioner remains in custody from 19.10.07.

3. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied I am satisfied, in the facts and circumstances of this case that the petitioner can be granted regular bail now subject to appropriate terms and conditions.

4. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-